

United States Senate

WASHINGTON, D.C. 20510

August 6, 2013

0827

The Honorable Mignon Clyburn
Acting Chairwoman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Acting Chairwoman Clyburn:

As the primary author in the House of Representatives of the 1992 Cable Act that created the retransmission consent regime and the author of the first net neutrality bill introduced in the House, I am writing to express my concern about the ongoing retransmission consent dispute between Time Warner Cable and CBS.

I make no representations as to the merits of either side's position, as they are contractual discussions between private parties. Nevertheless, I encourage both parties to remain engaged in good faith negotiations, and I also request that the Commission take action to bring the parties together so these negotiations can be concluded in an equitable and expeditious manner. I believe the public interest would be best served if carriage is restored by the parties at the earliest possible time so that consumers are not long caught in the middle.

I am also particularly concerned by reports that CBS is blocking access to its Internet-based video for Time Warner Cable broadband customers. A consumer's choice of cable television provider should not be tied to her ability to access Internet content that is freely available to other consumers. In such instances, consumers lose their freedom to access the Internet content of their choice. This is an anti-consumer result that I urge the Commission to investigate, and I encourage the Commission to actively defend Internet freedom and consumer rights.

Thank you for your attention to this important issue.

Sincerely,



Edward J. Markey



FEDERAL COMMUNICATIONS COMMISSION

September 20, 2013

Mignon L. Clyburn
Acting Chairwoman

The Honorable Edward Markey
United States Senate
218 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Markey:

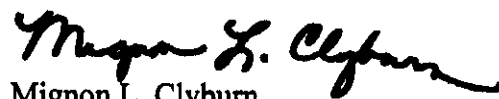
Thank you for your letter regarding the recent retransmission consent dispute between Time Warner Cable and CBS Corporation. I share your concerns with regard to the impact such disputes have on consumers.

Commission staff and I closely monitored the situation. I also engaged the parties at the highest levels to urge resolution of the dispute. I am pleased that the companies were finally able to reach agreement and restore the CBS programming to Time Warner Cable systems in early September, though the length of time stalemate was quite troubling. I hope that, in the future, media companies will put consumers' interests first and avoid such programming disruptions.

As you know, retransmission consent disputes involve private contracts where the Commission has limited statutory authority. However, should Congress decide to revisit this issue, Commission staff would be available as a resource for technical assistance.

If you have any additional questions or need any further assistance, please don't hesitate to contact me.

Sincerely,


Mignon L. Clyburn